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EXAMINER

KASSA, HILINA S

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

| | | | |
|------------------------------|--------------------------------------|--------------------------------------|--|
| Office Action Summary | Application No. 10/644,926 | Applicant(s) SAITOH ET AL. | |
| | Examiner HILINA S. KASSA | Art Unit 2625 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 May 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 30-39 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 30-39 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. The amendment submitted on 05/05/2008 has been acknowledged.

Response to Arguments

2. Applicant's arguments with respect to claims 30-39 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 30-34 and 36-39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wakasugi (Japanese Publication Number JP2002229916, see IDS) and in view of Kojima (US Patent Number 6,633,401 B1).

(1) regarding claim 30:

As shown in figure 2, Wakasugi discloses an image processing device (paragraph [0020], lines 1-5; note that a network fax is disclosed which is also considered as a form of an image processing device) comprising:

a facsimile communication unit that is capable of handling plural communication methods (**paragraph [0006], lines 1-4; note that a fax communication like using more than one communication method is disclosed. i.e. using PSTN and LAN**) including facsimile communications via the Internet (**paragraph [0006], lines 4-6; note that fax gets transmitted via LAN by e-mail using T-37 transmitting method as described in paragraph [0003], lines 6-7**);

a setting unit that sets a restriction of *automatic printing by the automatic printing unit* of the received documents received by the facsimile communications via the Internet (**paragraph [0007]-paragraph [0008], line 3; note that there is a function restriction/limitation table which is set according to the senders information. Also, the facsimile is a network fax**); and

Wakasugi discloses all of the subject matter as described as above except for specifically teaching *a determining unit that determines whether the received documents received by the facsimile communication unit are those received by the facsimile communications via Internet and an automatic printing restriction unit that stores the received documents and restricts the automatic printing by the automatic printing unit of the received documents when the received documents received by the facsimile communication unit are determined by the determining unit to be those received by the facsimile communications via the Internet and, for which the restriction of automatic printing is set by the setting unit.*

However, Kojima teaches *a determining unit that determines whether the received documents received by the facsimile communication unit are those received by*

the facsimile communications via Internet (column 4, lines 4-9; note that a facsimile data is transmitted over electronically from the POP server) and an automatic printing restriction unit that stores the received documents (column 4, line 66-column 5, line 2; note that the received communication data gets stored as a packet form) and restricts the automatic printing by the automatic printing unit of the received documents (column 4, lines 57-65; note that during sheet saving mode, the received data does not get printed automatically) when the received documents received by the facsimile communication unit are determined by the determining unit to be those received by the facsimile communications via the Internet (column 5, lines 38-40; note that the communication data is facsimile data and email data) and, for which the restriction of automatic printing is set by the setting unit (column 5, lines 42-52; note that the user primarily sets the conditions for printing the facsimile message).

Wakasugi and Kojima are combinable because they are from the same field of endeavor i.e. static presentation processing data for printing. At the time of the invention, it would have been obvious to a person of ordinary skilled in the art to have a *determining unit that determines whether the received documents received by the facsimile communication unit are those received by the facsimile communications via Internet and an automatic printing restriction unit that stores the received documents and restricts the automatic printing by the automatic printing unit of the received documents when the received documents received by the facsimile communication unit are determined by the determining unit to be those received by the facsimile*

communications via the Internet and, for which the restriction of automatic printing is set by the setting unit. The suggestion/motivation for doing so would have been to provide an image forming device capable of preventing wasting recording medium when forming an image based on data transmitted from a remote device (column 1, lines 44-49). Therefore, it would have been obvious to combine Wakasugi with Kojima to obtain the invention as specified in claim 30.

(2) regarding claim 31:

As shown in figure 2, Wakasugi discloses an image processing device
(paragraph [0020], lines 1-5; note that a network fax is disclosed which is also considered as a form of an image processing device) comprising:

a facsimile communication unit that is capable of handling plural communication methods **(paragraph [0006], lines 1-4; note that a fax communication like using more than one communication method is disclosed. i.e. using PSTN and LAN)** including facsimile communications via the Internet **(paragraph [0006], lines 4-6; note that fax gets transmitted via LAN by e-mail using T-37 transmitting method as described in paragraph [0003], lines 6-7);**

a setting unit that sets either restriction or permission of *automatic printing* **(paragraph [0021], lines 3-5; note that based upon the permission outputting gets performed)** by *the automatic printing unit* of the received documents received by the facsimile communications via the Internet **(paragraph [0007]-paragraph [0008], line 3;**

note that there is a function restriction/limitation table which is set according to the senders information. Also, the facsimile is a network fax); and

Wakasugi discloses all of the subject matter as described as above except for specifically teaching *a determining unit that determines whether the received documents received by the facsimile communication unit are those received by the facsimile communications via Internet and an automatic printing restriction unit that stores the received documents and restricts the automatic printing by the automatic printing unit of the received documents when the received documents received by the facsimile communication unit are determined by the determining unit to be those received by the facsimile communications via the Internet and, for which the restriction of automatic printing is set by the setting unit.*

However, Kojima teaches *a determining unit that determines whether the received documents received by the facsimile communication unit are those received by the facsimile communications via Internet (column 4, lines 4-9; note that a facsimile data is transmitted over electronically from the POP server) and an automatic printing restriction unit that stores the received documents (column 4, line 66-column 5, line 2; note that the received communication data gets stored as a packet form) and restricts the automatic printing by the automatic printing unit of the received documents (column 4, lines 57-65; note that during sheet saving mode, the received data does not get printed automatically) when the received documents received by the facsimile communication unit are determined by the determining unit to be those received by the facsimile communications via the Internet (column 5, lines*

38-40; note that the communication data is facsimile data and email data) and, for which the restriction of automatic printing is set by the setting unit (column 5, lines 42-52; note that the user primarily sets the conditions for printing the facsimile message).

Wakasugi and Kojima are combinable because they are from the same field of endeavor i.e. static presentation processing data for printing. At the time of the invention, it would have been obvious to a person of ordinary skilled in the art to have *a determining unit that determines whether the received documents received by the facsimile communication unit are those received by the facsimile communications via Internet and an automatic printing restriction unit that stores the received documents and restricts the automatic printing by the automatic printing unit of the received documents when the received documents received by the facsimile communication unit are determined by the determining unit to be those received by the facsimile communications via the Internet and, for which the restriction of automatic printing is set by the setting unit. The suggestion/motivation for doing so would have been to provide an image forming device capable of preventing wasting recording medium when forming an image based on data transmitted from a remote device (column 1, lines 44-49).* Therefore, it would have been obvious to combine Wakasugi with Kojima to obtain the invention as specified in claim 31.

(3) regarding claim 32:

Wakasugi further discloses the image processing device according to claim 31, wherein the setting unit sets to restrict automatic printing by the automatic printing unit of the received documents received in Store & Forward communications conforming to the procedure of ITU-T Recommendation T-37 (**paragraph [0003], lines 6-9; note that T-37 is utilized to transmit the fax via internet. Also, in paragraph [0020]-paragraph [0021]; note that the document gets transmitted via the network fax and functional restriction/limitation is gets retrieved from the receiver's side in order to grant permission to print or output).**

(4) regarding claim 33:

Wakasugi further discloses the image processing device according to claim 31, further comprising an authorization unit that authorizes transmission information if notified from the sender by the facsimile communications via the Internet (**paragraph [0020], lines 1-3; note that the sender sets a login name and functional limitation**), wherein the setting unit sets to restrict automatic printing by the automatic printing unit of the received documents if the transmission information cannot be authorized by the authorization unit (**paragraph [0022], lines 1-2; note that when the functional limitation is not met or when permission is not granted, an error message gets sent to the sender**).

(5) regarding claim 34:

Wakasugi further discloses the image processing device according to claim 31, further comprising a determining unit that determines whether or not the received documents received by the facsimile communications via the Internet are color documents (**paragraph [0020], line 3-paragraph [0021], line 2; note that it is checked if color document is received to be processed**), wherein the setting unit sets to restrict automatic printing by the automatic printing unit of received documents determined to be color documents by the determining unit (**paragraph [0021], lines 1-5; note that from the functional restriction/limitation table the color document gets processed when permission is granted**).

(6) regarding claim 36:

Wakasugi further discloses the image processing device according to claim 31, further comprising an extracting unit that extracts transmission information if notified from the sender by the facsimile communications via the Internet (**paragraph [0022], lines 2-5; note that the received document gets extracted**), wherein the setting unit sets to restrict automatic printing by the automatic printing unit of the received documents if the transmission information extracted by the extracting unit includes a previously specified user name, organization name, domain name or telephone number (**paragraph [0022], lines 5-9; note that when the functional constraint information from the sender is registered, the document gets permitted to be printed**).

(7) regarding claim 37:

Wakasugi further discloses the image processing device according to claim 31, further comprising an extracting unit that extracts transmission information if notified from the sender by the facsimile communications via the Internet (**paragraph [0022], lines 2-5; note that the received document gets extracted**), wherein the setting unit sets to permit automatic printing by the automatic printing unit of the received documents if the transmission information extracted by the extracting unit includes a previously specified user name, organization name, domain name or telephone number (**paragraph [0022], lines 5-9; note that when the functional constraint information from the sender is registered, the document gets permitted to be printed**).

(8) regarding claim 38:

Wakasugi discloses all of the subject matter as described as above except for specifically teaching, wherein, if the automatic printing restriction unit restricts the automatic printing of received documents, a process for storing the documents on another device is implemented.

Kojima teaches wherein, if the automatic printing restriction unit restricts the automatic printing of received documents (**column 5, lines 41-46; note that user sets sheet-saving mode which does not print the facsimile data automatically**), a process for storing the documents on another device is implemented (**column 5, lines 46-48; note that the email gets stored in RAM**).

Wakasugi and Kojima are combinable because they are from the same field of endeavor i.e. static presentation processing data for printing. At the time of the

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invention, it would have been obvious to a person of ordinary skilled in the art to wherein, if the automatic printing restriction unit restricts the automatic printing of received documents, a process for storing the documents on another device is implemented. The suggestion/motivation for doing so would have been to provide an image forming device capable of preventing wasting recording medium when forming an image based on data transmitted from a remote device (column 1, lines 44-49). Therefore, it would have been obvious to combine Wakasugi with Kojima to obtain the invention as specified in claim 38.

(9) regarding claim 39:

Wakasugi discloses all of the subject matter as described as above except for specifically teaching, wherein, if the automatic printing restriction unit restricts the automatic printing of received documents, a process for storing the documents on another device is implemented.

Kojima teaches wherein, if the automatic printing restriction unit restricts the automatic printing of received documents (**column 5, lines 41-46; note that user sets sheet-saving mode which does not print the facsimile data automatically**), a process for storing the documents on another device is implemented (**column 5, lines 46-48; note that the email gets stored in RAM**).

Wakasugi and Kojima are combinable because they are from the same field of endeavor i.e. static presentation processing data for printing. At the time of the invention, it would have been obvious to a person of ordinary skilled in the art to

wherein, if the automatic printing restriction unit restricts the automatic printing of received documents, a process for storing the documents on another device is implemented. The suggestion/motivation for doing so would have been to provide an image forming device capable of preventing wasting recording medium when forming an image based on data transmitted from a remote device (column 1, lines 44-49). Therefore, it would have been obvious to combine Wakasugi with Kojima to obtain the invention as specified in claim 39.

5. Claim 35 is rejected under 35 U.S.C. 103(a) as being unpatentable over Wakasugi (Japanese Publication Number JP2002229916, see IDS) and Kojima (US Patent Number 6,633,401 B1), and further in view of Tomida (US Patent Number 6,922,255 B1).

(1) regarding claim 35:

Wakasugi and Kojima disclose all of the subject matter as described as above except for specifically teaching the image processing device according to claim 31, further comprising a determining unit that determines whether the received documents received by the facsimile communications via the Internet are of high urgency or importance, wherein the setting unit sets to permit automatic printing by the automatic printing unit of the received documents determined as being of high urgency or importance by the determining unit.

However, Tomida teaches a determining unit that determines whether the received documents received by the facsimile communications via the Internet are of high urgency or importance (**column 10, lines 11-14; note that when an urgent facsimile is received, the internet facsimile device notifies a receiving party on this urgency**), wherein the setting unit sets to permit automatic printing by the automatic printing unit of the received documents determined as being of high urgency or importance by the determining unit (**column 10, lines 23-48; note that once it is know that the facsimile is with high urgency, then the facsimile is allowed to print out automatically**).

Wakasugi, Kojima and Tomida are combinable because they are from the same field of endeavor. At the time of the invention, it would have been obvious to a person of ordinary skilled in the art to have a determining unit that determines whether the received documents received by the facsimile communications via the Internet are of high urgency or importance, wherein the setting unit sets to permit automatic printing by the automatic printing unit of the received documents determined as being of high urgency or importance by the determining unit. The suggestion/motivation for doing so would have been so that the internet facsimile device can easily and reliably handle urgent facsimile (column 10, lines 60-61). Therefore, it would have been obvious to combine Wakasugi and Kojima with Tomida to obtain the invention as specified in claim 35.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Otsuka et al. (US Patent Number 6,657,743 B1) disclose a communication terminal and storage medium.

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

8. Any inquiry concerning this communication or earlier communication from the examiner should be directed to Hilina Kassa whose telephone number is (571) 270-1676.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Moore could be reached at (571) 272- 7437. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about PAIR system, see <http://pari-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Hilina S Kassa/
Examiner, Art Unit 2625
July 24, 2008

/David K Moore/
Supervisory Patent Examiner, Art Unit 2625